

AGREE IN TERMS FOR CITY LIGHTS

Josselyn and Lane Favorable to Plan That Will Avoid Crisis.

CITY TO BACK OLD CLAIMS

Kavanaugh's Plan for Municipal Warrant Accepted After Stormy Session, at Which Bitter Personalities Are Exchanged.

City Attorney Kavanaugh yesterday afternoon submitted to Mayor Lane, President Josselyn, of the Portland Light and Power Company, and a special committee of Councilmen a plan whereby it is virtually certain that this city will not be plunged into darkness at midnight next Tuesday. The plan proposes that a warrant be drawn for the amount of disputed claims and be held subject to a court decision on the merits of the controversy, to be paid to the company if the case is decided in its favor, and to remain in the city treasury if decided in favor of the municipality. This plan is regarded as fair to both sides by all who were present, with the exception of Thomas G. Greene, of the Lighting committee of the Executive Board. It is believed that it will eventually result in saving the situation and averting a calamity.

It was not until the committee of Councilmen, composed of Messrs. Baker, Rushlight and Vaughn, met that any hope whatever was held out for lights after Tuesday night, the situation being critical and hedged about with such peculiar conditions that the most sanguine had begun to fear for the worst. When Mr. Kavanaugh presented his plan, however, it was seen at once that it is feasible, and it is regarded as probably the only means of averting a crisis—the discontinuation of the public lighting service by the company at midnight Tuesday.

Council Appoints Committee.

A special session of the City Council, called by Mayor Lane, wrestled all forenoon with the situation, absolutely without result. In the afternoon the Council was again in session from 2 to 4 o'clock, and the only thing accomplished was to authorize the appointment of a committee of three Councilmen to confer with the Mayor, members of the Executive Board and officers of the company, in an effort to reach some conclusion and work out a way whereby there shall be lights on Portland's streets and in the public buildings and grounds. It was the result of a motion made by Councilman Josselyn, who declared that the city is facing a serious crisis and that something must be done to harmonize the opposing interests and save the lighting service.

A special meeting of the Executive Board will be held tomorrow morning, at which the proposition will be discussed and a course of action authorized. The special committee of the Council, it is expected, will report back at an adjourned meeting of the Council at 2 P. M. tomorrow, that the situation has been altered so that there will be lights. President Josselyn says he is willing to act under the plan outlined, and will sign a contract for any period of time.

Bitter Personalities Exchanged.

Bitter personalities characterized the meeting of the Council, although at the morning session Councilman Baker, who first spoke, declared for harmony, saying that a crisis is at hand, and sober judgment must prevail. He asked that personal prejudices and differences of opinion be laid aside for the time being, in order that the best results may be had. In the afternoon the session was devoted principally to a lengthy reply by Councilman Cellars, chairman of the lighting committee, to Mayor Lane's aspersions, and was most bitter in tone.

An ordinance was finally passed, declaring that an emergency exists, and that it is necessary to have lights. Mayor Lane sought to have a clause inserted in the Executive Board to enter into a temporary agreement with the lighting company, not to exceed six months, paying for the service monthly in advance. Mayor Lane sought to have a clause inserted, repealing the former ordinance, calling for bids for three and five years, but, although Councilman Vaughn worked for such an amendment of the ordinance, it failed, and the old ordinance is still in effect.

Attacks Morals of Mayor.

Immediately upon the assembling of the Council at 2 o'clock, President Rushlight being in the chair, Mr. Cellars took advantage of the privilege of the floor, and attacked Mayor Lane's private, as well as public life, and at one time exclaimed that the Mayor's moral character is concerned, he would think that Mayor Lane "would be ashamed to walk down the streets of the city and look into the faces of pure maidens and mothers."

Mayor Lane smoked a cigar and read a newspaper most of the time, but at this stage of the speech by Mr. Cellars, the Mayor was pacing to and fro around the circle of desks, and had just reached a point about ten feet from Mr. Cellars' position, when he was dramatically leveled his forefinger at the Mayor, and denounced his moral character in the most scathing terms. The Mayor paid no heed whatever to the remark, and made no reply to this portion of the attack, although he did have something to say later about Mr. Cellars as an official, and the relation of Mr. Cellars to the lighting situation.

Says Coercion Was Tried.

The main point sought to be made by Mr. Cellars was that he had at all times acted, according to his best judgment, for the best interests of the city in all matters, including the lighting controversy. He said he received a much larger majority of votes for his office than did the Mayor for his, and supposed he was expected to use his own judgment in city matters; but he said that the Mayor had sought to force him to take the Mayor's view of things, and since he had refused to do that, there had been trouble. Mr. Cellars was incensed because of articles appearing in the public press, which strongly intimated that Mayor Lane is about to make some changes in committees of the Council, and particularly that the Mayor intends to remove Mr. Cellars as chairman of the lighting committee. He asked the Mayor if it were true that the Mayor had said to reporters that Mr. Cellars had "deliberately misrepresented" some things to City Attorney Kavanaugh in securing an opinion as to the legal right of the Executive Board to hold up certain sums of money alleged by the company to be due it. The Mayor replied that he did not remember so stating to any reporter, but added that he thought Mr. Cellars did misrepresent, but

whether it was deliberate or not he could not say.

Cigars and Deferred Bills.

Mr. Cellars said that about April 6, 1908, Mayor Lane received from the lighting company a box of cigars, or that it then first became known such was the case. Announcement of the fact in the Council, he said, resulted in the Mayor paying the price of the box of cigars to the company's headquarters, which was duly chronicled in the press.

From what I read in the newspapers about the Mayor taking the money to the company's office," said Mr. Cellars, "I would infer that there was a lively time there, and the Mayor talked as though there would be something doing later. Now, gentlemen, I hold here a warrant on the City of Portland, dated April 13, of the same year, seven days after the cigar matter became known. This warrant is unsigned. It is a warrant for the lighting bill of the power company, which the Mayor just then, for the first time, refused to sign. Of course it is a coincidence; it is a mere coincidence—nothing else, of course; but you will see that there was something doing pretty quick after that cigar incident, and the Mayor has kept it up ever since."

Mr. Cellars then proceeded further to assail the Mayor, calling him "the



City Attorney Kavanaugh, Who Has Suggested Plan Expected to Settle Lighting Controversy.

prince of quibblers" and offering a pro-se apology for ever saying the Mayor did not quibble over the quality of lights furnished by the company.

"I apologize to your honor," said Mr. Cellars, "for I realize that you are the prince of quibblers, and that you quibble over everything. It was quibbling that caused a good Executive Board to resign, so that The Oregonian published a cartoon showing you with a bunch of Harpys all around you, and even then you could hardly get a satisfactory vote; also another cartoon, depicting a messenger staggering under the weight of resignations, with a wolfish look on his face, and you looking sorrowfully at the lad, exclaimed: 'Just as I thought; no one is honest but me.'"

Mr. Cellars then proceeded to attack the private character of the Mayor, and continued without interruption to the end of his vitriolic speech. Mayor Lane then answered briefly, saying he thought it would be a good thing for the city if Mr. Cellars would take as much interest in the city's affairs as he has in the affairs of the company. Adjournment was then taken until 2 P. M. Monday.

MEDICAL SOCIETY MEETS

Dr. H. F. Leonard Elected President of State Osteopaths.

At the seventh annual meeting of the Oregon Osteopathic Association held yesterday in the Imperial Hotel, the following officers were chosen to serve for the ensuing year:

President, Dr. H. F. Leonard, Portland; first vice-president, Dr. W. L. Nichols, Astoria; second vice-president, Dr. Rhoda C. Hicks, Astoria; secretary, Dr. Mabel Akin, Portland; treasurer, Dr. R. B. Northrup, Portland; board of trustees, Dr. B. P. Shepherd, Portland; Dr. W. O. Plack, Portland; Gertrude Gates, Portland; Kathryn Gier, Portland; Frank G. Carlow, Medford.

At the morning session reports were rendered by the various officers and committees, and the retiring president, Dr. O. F. Akin, delivered an address in which he referred to the progress the association has made during the past year. The afternoon session was devoted to demonstrations of technique by Drs. W. H. Arnold, O. F. Akin, R. B. Northrup and G. L. Gates. Preceding the evening session, a banquet was held, in which addresses were made on various matters relating to the profession. The election of officers concluded the meeting.

Funeral of W. J. Van Schuyver.

The funeral of William James Van Schuyver, who died Wednesday, was held yesterday afternoon at 2 o'clock from the family residence, 833 Lovejoy street. The services were conducted by Rev. E. H. Simpson, of St. Mark's Episcopal church. A large number of friends of the deceased attended. At the conclusion of the services the remains were taken to an undertaking establishment to be interred when the weather moderates.

CONTINUED COLD.

Continued cold weather in storm makes warm underwear, hosiery, blankets, coats, etc., necessary. Our January Clearance Sale offers great money saving chances. McAllen & McDonnell, Third and Morrison.

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SAYS CITY LOSES

Mayor Writes to Council About Lights.

NO FULL VALUE, HE SAYS

Declares Amount of Electrical Energy Furnished is Less Than Was Agreed Upon in Old Contract.

Mayor Lane sent in a communication to the Council, summarizing the situation, and setting forth his views and the views of the Executive Board. This was read, with other papers bearing on the subject. The main contention of the Mayor is that the city is not getting the amount of electrical energy called for in the old contract, and that the city should own its distributing system.

The communication follows: To the Honorable City Council—Gentlemen: I have called a special meeting of your honorable body to consider the question of public lighting.

There is to be presented to you a report from the light committee of the Executive Board upon the subject in which you are asked to allow the city to enter into a contract with the lighting company to pay for lighting at the rate now charged until such time as a contract for a period not to exceed 18 months can be entered into.

In respect to this entire matter I have to say that it is of great importance to the city that it be not forced into a long-term contract for lighting at this time.

As the matter stands there is but a single bidder, and there can be no other bidder although within a year there is every reason to believe that there will be competition, and the city in a position to protect itself, while at this time it is helpless.

A long-term contract for five years entered into now under the only terms offered, will result in its being placed in an equality if not more unfavorable position at the end of that time.

Under the terms which have been offered to the Executive Board by the Lighting company the specifications are so loose that the city if it accepts them will have no voice in the question of the quality of service which it receives and will be at the mercy of the Lighting Company. Under them it must pay a fixed price for each lamp and receive the same service which it receives from that lamp and with no specification covering the quality of illumination the quantity or power to be furnished the city.

If the city authorities were to enter into a contract for supplies of any sort whatever in any other department of its affairs upon specifications so indefinite and loose and meretricious as these, those which accompany this bid for lighting, they would be criminally negligent in their duty to the people, and an action for impeachment should be lodged against them, yet it is demanded that terms of this character be accepted for light or if not accepted the city will be plunged into darkness.

Under the terms offered the city must either pay an exorbitant price for a period of five years or if it accepts the alternative tender at a somewhat lower rate it must pay up all moneys retained as overcharges, and in addition construct and present to the Portland Railway Light & Power company all material used in extensions of service over 800 feet in length. If it does this it will make a present to the company of the most expensive portion of its distributing system and will be bound to the Portland Railway Light & Power Company such a position that no competition can ever be secured to relieve it from its unfortunate position.

The Portland Railway Light & Power Company has demanded under every tender which it has made, except one in which it recouped itself by the city as overcharges, yet it has demanded that it must be paid in full all back payments which have been withheld by the city as overcharges, yet it has demanded that it must be paid in full all back payments which have been withheld by the city as overcharges, yet it has demanded that it must be paid in full all back payments which have been withheld by the city as overcharges.

The Executive Board has offered to settle with it at any time that it will make a showing of the actual facts if they support its claim for money due. It has offered to pay it for all light used, each day, each week, or each month in advance, if necessary for a reasonable period at the present rates (without asking for extensions of service) if the Council will permit this to be done. In the meantime it has offered to readvertise for another contract for a period of not to exceed 18 months if the city Council will pass an ordinance allowing it to do so and the question is now referred to you, and your assistance is asked and sought to help the city in its struggle to escape the unjust terms which are being attempted to be forced upon it in this instance.

I therefore urge that you permit the city to pay this company for its lights from January 1, 1909, at present rates until such time as a new contract can be advertised for, and I ask you to pass an ordinance asking for bids for a period not to exceed 18 months, and if for a longer time not to exceed three years and that you insist on such specifications and showings to be made as will allow the city to ascertain whether or not it is receiving

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what it is paying for. This is not asking something which is unfair either to the Portland Railway Light & Power Company or to the city. The money which the city pays for light must be standard coin of the realm, and the light it receives should also be of a standard value as to quantity and quality.

The Executive Board, and I, as Mayor, feel that it would be nothing short of criminal negligence on our part, to allow the city to enter into a contract drawn upon specifications which are all against it and in favor of the Lighting Company. Hoping that you will bear in mind that the rights of the people of this city in this matter are entitled to the first consideration, and that you will give them the consideration which is justly due them, I am, respectfully,

HARRY LANE, Mayor.

SYNOD TO MEET MONDAY

Lutherans to Convene in Portland to Decide on College Location.

VANCOUVER, Wash., Jan. 9.—(Special.)—The college and seminary committee of the Pacific Synod of the Evangelical Lutheran Church, consisting of Rev. C. G. Lund, D. D., of Seattle; Henry Mauchake, of Tacoma; Rev. J. A. Leas, of Portland; Rev. Merrill E. Bolton, of The Dalles; W. S. T. Derr, of Vancouver, will meet in Portland Monday evening, January 11, to decide the location of the new college and seminary of the church, which are to be built in some city on the Coast. Several sites have been offered to the committee, two of these being in Vancouver, and the committee expects to come to Vancouver Tuesday to look the sites over.

Vancouver will make a strong effort to secure the college and seminary. Buildings costing \$25,000 are to be built within a short time after the question of location is settled.

ASSESSOR GIVES FIGURES

Value of Property and Number of Acres Assessed in Clark County.

VANCOUVER, Wash., Jan. 9.—(Special.)—The total number of acres assessed in Clark County, as shown by the abstract of the county tax roll, just completed, for the year 1908 was 335,312.16 acres, and the total assessed valuation, as equalized by the State Board of Equalization, was \$10,233,951.

The value of railroad property as assessed was \$891,575; value of telegraph



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property, \$87. Last year the value was \$606, but a law was passed whereby the State Tax Commission set the valuation, and it was cut down by this commission to less than one-fifth of what it was assessed by the County Assessor.

The value of land and improvements in the county for 1908 was \$5,007,935; value of town and city property and buildings, \$2,306,620; total value of personal property, \$1,222,810; aggregate value of all taxable property, \$8,537,375.

The average rate of taxation was 27.42 mills. Amount of taxes collected, \$247,876.63.

FORGERY ARRESTS MANY

Vancouver's Record 48 for 52 Weeks During Last Year.

VANCOUVER, Wash., Jan. 9.—(Special.)—The annual report of John Sechrist, Chief of Police, for 1908, shows that during that year 1176 arrests were made, 661 of which were due to drink. There were 48 cases of forgery reported, almost one for each week in the year. Besides these, there were 267 cases of vagrancy; misde-

meanors, 194; larceny, 52; assault and battery, 29; murder, 2; deserters from United States Army, 4; counterfeiters, 2. Fines paid into the Police Court amounted to \$103,555; paid out for bonds of prisoners, \$461.55; dog licenses collected, \$335.

German Songsters Organize.

VANCOUVER, Wash., Jan. 3.—(Special.)—The Germans of Vancouver have organized a singing society to be known as the "Liederkrantz." A musical director has been secured and special study will be made of the songs of the fatherland.

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